

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Reallocation of the 216-220 MHz,)	WT Docket No. 02 - 08
1390-1395 MHz, 1427-1429 MHz,)	RM-9267
1429-1432 MHz, 1432-1435 MHz,)	RM-9692
1670-1675 MHz, and 2385-2390 MHz)	RM-9797
Government Transfer Bands)	RM-9854
)	RM-9882

ORDER DENYING REQUEST TO EXTEND COMMENT PERIOD

Adopted: February 28, 2002

Released: February 28, 2002

By the Acting Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

1. On February 25, 2002, the American Hospital Association (AHA) filed a motion, pursuant to Section 1.46 of the Commission's Rules,¹ to extend the period for filing comments to the *Notice of Proposed Rule Making*² in the above-captioned proceeding. AHA requests that the deadline for filing initial comments be extended thirty days from March 4, 2002, to April 3, 2002.³ For the reasons discussed below, we deny the request to extend the initial comment period.

2. AHA requests an extension of time to allow it to organize a consensus on the wide variety of issues presented in *Notice of Proposed Rule Making*.⁴ AHA contends that the *Notice of Proposed Rule Making* seeks comment on several highly technical issues without providing concrete rule proposals on which parties could comment.⁵

3. The Commission does not routinely grant requests for extensions of time.⁶ Certain frequency bands in this proceeding, including those with respect to which AHA indicates it may submit comments, are subject to a statutory requirement providing for Commission action "in time for the

¹ 47 C.F.R. § 1.46.

² See Reallocation of the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands, WT Docket No. 02-08, *Notice of Proposed Rule Making*, FCC 02-15, 67 Fed. Reg. 7113 (rel. February 6, 2002).

³ See AHA, Motion for Extension of Time, filed February 25, 2002.

⁴ *Id.* at 2.

⁵ *Id.* at 2-3.

⁶ See 47 C.F.R. § 1.46(a); see also, e.g., Mobile Radio Service, Inc., *Order on Reconsideration*, DA 02-179 (WTB PSPWD rel. Jan. 24, 2002).

assignment of those licenses or permits by September 30, 2002.”⁷ Given this statutory requirement, nothing in AHA’s request persuades us that an extension of time is warranted.

4. ACCORDINGLY, IT IS HEREBY ORDERED that pursuant to Section 1.46 of the Commission’s Rules, 47 C.F.R. § 1.46, the request of the American Hospital Association to extend the deadline for filing initial comments in this proceeding, filed February 25, 2002, is DENIED.

5. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission’s Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Barry J. Ohlson
Acting Chief, Public Safety and Private Wireless Division
Wireless Telecommunications Bureau

⁷ See Balanced Budget Act of 1997 (BBA-97), Pub. L. 105-33, 111 Stat. 251 Section 3002(e), codified at 47 U.S.C. 925(c). See also BBA-97 Section 3002(c)(1), (c)(4); and Identification of Alternative Bands In Response to Title III of the Balanced Budget Act of 1997, NTIA Special Publication 98-39 (rel. Nov. 1998).